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Speeches of —
Hon. Carter H. Harrison
on the Treatment of Savages
and on Texas border question.

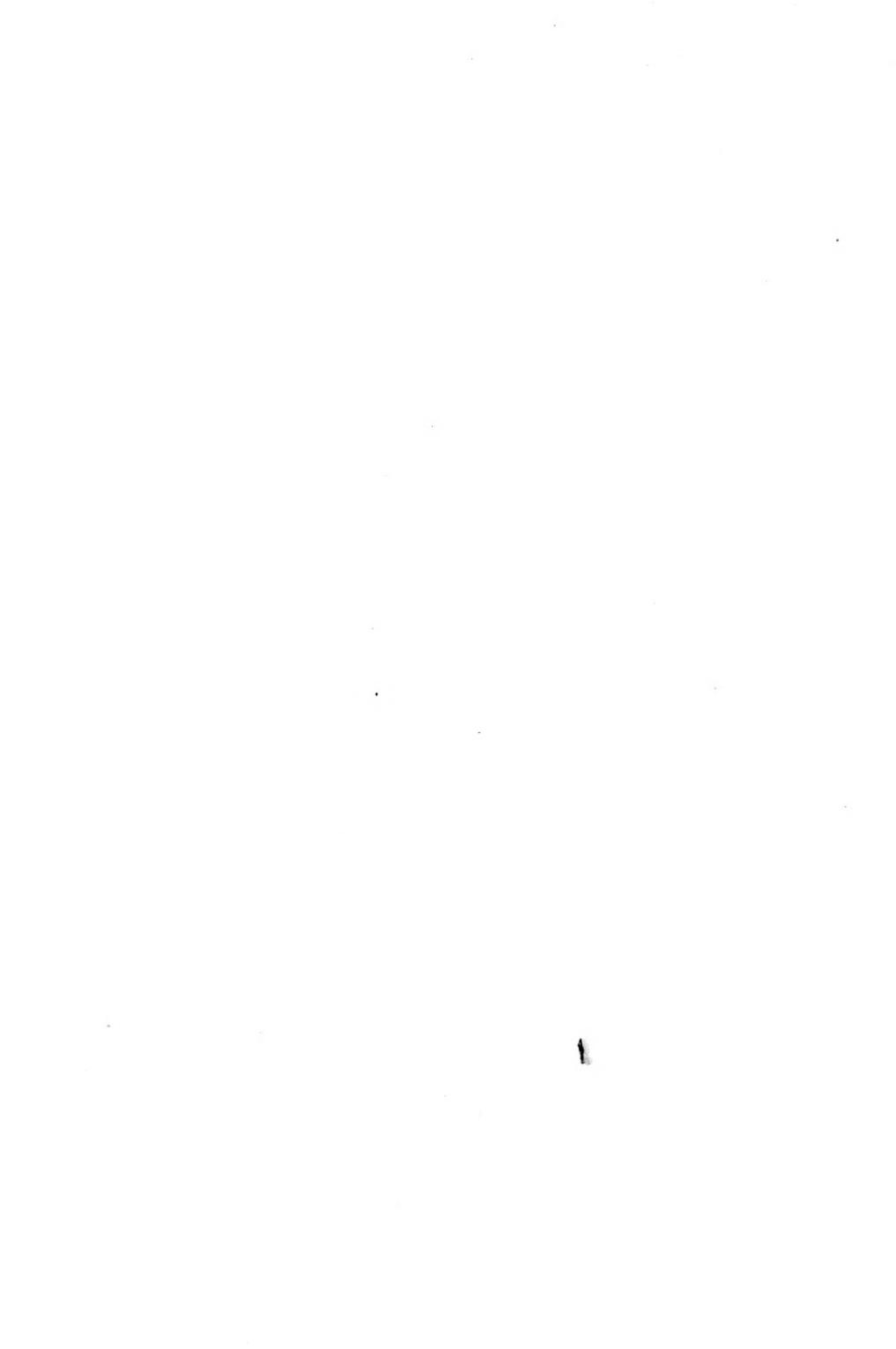
1876

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Book 31



S P E E C H E S

OF

HON. CARTER H. HARRISON,

O F ILLINOIS,

ON THE

TREATMENT OF SAVAGES,

DELIVERED JULY 8, 1876,

AND ON

TEXAS BORDER QUESTION,

DELIVERED JULY 12, 1876.

"A nation's honor, as an individual's, is in honorable
doing."—*Old Writer.*

W A S H I N G T O N.

1876.

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Exploration and Settlement of Black Hills Country.

S P E E C H

O F

HON. CARTER H. HARRISON.

The House having under consideration the bill (H. R. No. 1335) to declare the country north of the North Platte River and east of the summits of the Big Horn Mountains, in the Territory of Wyoming, open to exploration and settlement and for other purposes—

Mr. HARRISON said :

Mr. SPEAKER: A distinguished gentleman from my own State made himself famous by the assertion that no nation could exist one-half free and one-half slave. Now, sir, I am going to make an assertion, and the RECORD may send it down to fame, and it is this, that no people can exist one-half civilized and the other half barbarous. It is an utter impossibility that we can have in this country a nation marching ever onward in the track of civilization and yet keeping in her midst bands and tribes of savages in their tribal relations. It is an anomaly never heard of in any other country, and it is a system that must be discontinued sooner or later in this country. We have tried the religious plan, we have tried the Penn plan, and we find ourselves constantly liable to a shock such as startled us two days since. White heroes struck down by our savage *protégés*. A friend on my left talks of the Indian heroes, but he must have a dead Indian hero. [Laughter.] I never heard of an Indian a hero until the halo of death has been thrown around him. The hero Indian appeals to our sympathy, but he is a dead Indian and not a live one. Tecumseh was a grand old Indian, Logan was a grand old Indian, but it was not until these savages were dead and buried we recognized them as heroes. It is an utter impossibility that we can continue in this condition of affairs. We have a nation controlled by law, by law under the Constitution, and yet we uphold in a large portion of our Territories other nations than our own. Their people may commit all sorts of crime, and the law cannot reach them. They come into our own district, into the civilized portions of the country, and commit murder, and they cannot be tried by a court, but they are fought with under and according to the laws of war.

Sir, every man in America, whether he be an Indian, a black man, or a white man, should be held amenable to the laws of civilization, for that is the rule of this land. Civilization takes no step backward. It is ever moving onward. You might as well attempt to stop the current of the Mississippi or bid Niagara leap upward as to stop the

tide of civilization and emigration going into the West. Sir, it is an utter impossibility. We can no more tame the leopard in his lair or change his spots than you can civilize the Indians while we encourage and maintain his tribal relations. I admit that if you mix him with the white man you may civilize him; but you must bring the Indian under the rules of our civilization and make him somewhat amenable to law before you can change his savage nature, and until that is done the problem of peace with our Indians will never be solved.

Now, Mr. Speaker, one word more. The gentleman from Massachusetts [Mr. SEELYE] asserts that it is the information that has been carried from Washington to these reservations of the intention of the change of the management of Indian affairs from the Interior to the War Department that has incited the Indian to aid hostile tribes in striking down the flower of the American Army.

How did that information get there? Does the gentleman admit that the Indian peace commission are a part of a system of spies; that it is a part of their duty to carry information from Washington to these people, to tell them when we are doing anything in this House hostile to them, so as to force them to wage war upon us? Sir, this war was commenced three months ago. The bill to which the gentleman refers has not yet passed, and we do not know here in the House if it will pass or ever become a law; and yet the peace commission, fearing that power would slip from their fingers, are encouraging this state of affairs. This is at least the inference to be drawn from the gentleman's remarks. Either the gentleman's information and assertion are all wrong or the peace system is all wrong; one or the other. I must hold and believe, Mr. Speaker, that I believe the way to treat the savage is to treat him as a savage as long as he retains his tribal relations; and as a savage teach him that we are able to master him. He knows no law but force. Give him force, but temper it with the spirit of Christianity and the rules of civilization. Use force, genial force if possible, harsh if necessary, but force nevertheless, and with that you will control the Indian, and at least prevent him from murdering white men. For three hundred years we have left him in self-control and have prayed for his civilization. The whole system must be changed. Scatter them among the white men or sprinkle white men with them. Give him civilized rulers and make him obey civilized laws. If that cannot be done, then let him submit to destiny, a destiny as certain and as unerring as the decrees of fate. Let him go to the happy hunting-ground of his fathers, and let white men, or at least civilized men, take his place.

Sir, this is a big world of ours. But, sir, it is too small to surrender one inch of it to savagery and barbarism when civilization is ready to enter upon that inch. It is a big, great world. But under the will of high Heaven, as I interpret that will, it is for the possession of man in his state of amelioration, and not to be the battle-ground of savages. Where but in America have savages and civilized men stood for three hundred years side by side, and the savage savage still? If the Indian is tamable, then turn over a new leaf; tame him as savages have been tamed in other lands and in other ages, by mixing him with his superiors. If this cannot be done, the sooner he belongs to the past the better.

S P E E C H
O F
HON. CARTER H. HARRISON.

The House being in Committee of the Whole on the state of the Union—

Mr. HARRISON said :

Mr. CHAIRMAN: I dislike exceedingly to say anything in opposition to this joint resolution. I dislike it because the resolution is favored by all of the delegation from Texas, a delegation which is, I believe, entitled to as high respect as any other delegation in this House; every man of which is my friend. I dislike it, too, because the chairman of the committee who reported the resolution is a man whom I admire, and I know that he is with true German honesty in earnest in this matter. But, sir, I feel that it is my duty to oppose it. I cannot stand here and allow a resolution to pass this House which I believe will bring dishonor upon the American name and will make this House justly amenable to the charge of being willing to dishonor the American name.

Mr. STEVENSON. I desire to ask my colleague whether it is because he has objection to the first section of the joint resolution that he opposes it?

Mr. HARRISON. I have no objection to that; it is the second section to which I object. Sir, we are asked to allow the President of the United States to permit the soldiers of the United States to cross the Rio Grande and go into Mexico—for what purpose? In my opinion, sir, to catch, as I take from this very report itself, men who have gone from the American side, from Texas into Mexico, with Texas cattle. Sir, it is one of the most singular of the phenomena of the human mind that different men will look at the same subject apparently with equal brains and certainly with equal honesty, and they will see the facts in so different a light one from the other. The gentleman from Texas quotes from this report to prove that it is perfectly right that General Grant, at the head of the American Army, should send the soldiers of the United States into a peaceful sister-republic because of the facts that are shown in this report.

Now I have read this report with a great deal of care. I have also read the report from the Mexican side which has been animadverted upon. I do not now intend to make a speech. What I propose to do is, in a sincere and earnest belief that by so doing I will simply be doing my duty, to read from this report extracts which it seems to me ought to convince members of this House that they should vote against this second resolution.

Before I proceed to-day, however, I wish to say a word on another subject. There is another reason why I dislike to oppose this resolution; it is because it was so ably advocated by my distinguished friend from New York, [Mr. TOWNSEND,] who spoke an hour ostensi-

bly in advocacy of the resolution, but never once referred to it. I dislike to oppose anything that that gentleman advocates. To me he has the roundest head I ever saw, not a bump upon it, and a mind equally in all its characteristics as round as the head that contains it. He says that he feels kindly toward the southerners, and all his milk of human kindness flows out toward them whenever he gets up here; that he does not want to say anything disagreeable to the people south of Mason and Dixon's line.

Now, the gentleman has certainly more winning ways to make the people of the South hate him than any other man I ever saw. He never gets up here that he does not say something that is an insult to a large portion of the members of this House. I cannot account for it, for I know that he is a gentleman and a man of kind disposition, unless upon the supposition that he is a good deal like a baby well fed and dandled upon its mother's knee. When it is perfectly full of milk a little shaking causes it to gush out very freely. Now, it must be that the gentleman every morning takes a full bottle of gall before he comes up here, and when he rises in his seat and shakes himself up the gall gushes out and flows over a portion of the members of this body.

Now, I do not think that is the way to bring back the fraternal feeling which once existed. The proper way is to regard every man, whether from the North or the South, the East or the West, as an American citizen, and to hold that when he comes into this Hall he is actuated by an earnest desire to do that which is best for our common country. I do not believe the best way is to be eternally hurling epithets into the faces of those from a different section from ourselves.

It may be all correct enough to charge against republicans from this side of the House, or against democrats on that side. We are from the same common localities, and it may be that my neighbor, a representative of the district next to mine, is a republican, and a democrat may be the representative of the district next to that of the gentleman from New York, [Mr. TOWNSEND.] But the southerners on this floor are the representatives of a whole section. It is true that such expressions will have the effect of throwing a fire-brand upon this floor and of enkindling hatred between the two sections of this country, which ought to cease.

Now, to come back. I propose to take this report, signed by the gentlemen on this committee, and to read extracts from it here and there. I shall make no logical argument, but will allow gentlemen to listen to these extracts and see if we are justified in directing the President of the United States to go into the territory of a government at peace with ours, into the territory of a sister republic, weak it is true, and to violate not only the sanctity of our treaties, but the sanctity of good fellowship.

We would not dare to introduce into this House a resolution to authorize the President of the United States to follow marauders into Canada. I say we would not dare do it, not because we are afraid of England, but because we know that the moment we pass such a resolution in this House England would consider it a declaration of war. My colleague [Mr. HURLBUT] says it is the right of any government to pursue marauding parties into the territory from which those marauding parties may come. That, as an act of emergency, would probably be justifiable to the United States. If there should be a marauding party coming from Canada into New York we might be justified in following that party into Canada; but that is a very

different thing from coolly and deliberately passing a resolution by the Congress of the United States authorizing the President to follow these marauders into a foreign country.

Mr. HARRIS, of Massachusetts. Will the gentleman allow me to ask him a question?

Mr. HARRISON. Certainly.

Mr. HARRIS, of Massachusetts. I desire to ask the gentleman from Illinois whether he thinks, if the citizens of Canada committed depredations upon our northern frontier, and when we called upon England to protect our citizens from them she either neglected or refused, does he believe that the United States would not dare to invade Canada?

Mr. HARRISON. Yes, sir; I do say that we would not dare do it in this way; and saying this I use the word dare in a proper sense. We would do it by a declaration of war, not stealthily by ordering our troops to follow them. We would demand of England that she should protect our borders, and if she did not do that we would declare war. Before we would do that, too, we would order a commission to discuss the matter with England. We are not always so mighty brave. We cried out fifty-four forty or fight, and then back down to forty-nine; we have done that before.

Now, what is it asked that we shall do? We are asked to pass a resolution providing that the soldiery of the United States—I will read the resolution:

SEC. 2. That, in view of the inability of the national government of Mexico to prevent the inroads of lawless parties from Mexican soil into Texas, the President is hereby authorized, whenever, in his judgment, it shall be necessary for the protection of the rights of American citizens on the Texas frontier, above described, to order the troops when in close pursuit of the robbers with their booty to cross the Rio Grande and use such means as they may find necessary for recovering the stolen property and checking the raids, guarding, however, in all cases against any unnecessary injury to peaceable inhabitants of Mexico.

Ah! kind Government. We will say to the soldiery, Go into our sister-republic; follow these cattle-thieves, but do not injure peaceable inhabitants of Mexico; do not use any more force than is absolutely necessary; and yet the captain of a company or the colonel of a regiment is to be the judge of what is necessary! We are asked here calmly to pass a resolution to make the colonel of a regiment or the captain of a company judge of what is necessary when he goes into this sister-republic.

Now, sir, I am for dealing out the same even-handed justice to Mexico, if we pretend to be at peace with her, that I would to England with her bayonets bristling all along Niagara and the lake shores. I say if we cannot make Mexico protect our border, then order a commission. Let this Congress direct the President to appoint a commission to meet with a commission from Mexico. If that fails, then let us be men enough to declare war. Do not let us take territory under the pretense of protecting ourselves.

The gentleman from Texas who has just taken his seat [Mr. CULBERSON] says that it will not bring on war, but that Mexico must be taught her duty. Ah, Mr. Chairman, the old hatred that was aroused at Alamo still rankles in the heart of a Texan. I do not wonder at it. The same old hatred which San Jacinto could not wipe out still rankles in him.

But my friend behind me says there is no hatred in the Texan, hatred of the Mexican. Yes, there is hatred in the Texan of the Mexican. *Carthago delenda est*, has been written upon the wall of every Texan's house, only the word Mexico takes the place of Carthago:

and the Texan always reads it, and it will not be until Mexico, his Carthage, is destroyed that he will forget it. I cannot blame him for it. He suffered years ago outrages few civilized nations ever attempted to put on another. But it is our clear right in our calmness to prevent him from committing an outrage upon the people on the other side belonging to a sister republic.

Mr. SCHLEICHER. Permit me to send to the Clerk's desk to have read a short paragraph.

Mr. HARRISON. Certainly.

Mr. SCHLEICHER. I ask the Clerk to read what I have marked. The Clerk read as follows:

On January 16, 1873, Mr. Hamilton Fish wrote to Mr. Nelson, then American envoy in Mexico:

"The federal government of that republic appears to be so apathetic on this subject, or so powerless to prevent such raids, that sooner or later this Government will have no other alternative than to endeavor to secure quiet on the frontier by seeking the marauders and punishing them in their haunts, wherever they may be. Of course we should prefer that this should be done with the consent, if not with the co-operation, of Mexico. It is certain, however, that, if the grievances shall be persisted in, the remedy adverted to will not remain untried."

Mr. HARRISON. All right, sir. Let us then try to do something with the consent and co-operation of Mexico. Let us ask her to meet us by commission. Let us treat this weak sister-republic as we would treat proud England, with her fortresses of the sea ready to protect her honor. Then if Mexico persistently refuses, or is powerless to curb her marauders, why then, sir, we will proceed as a proud nation conscious of the right should proceed. Then, sir, if necessary let war be Punic. Then, sir, the world will justify our cry, *Mexico delenda est*. But not till then.

I say, let us try something else. Gentlemen say we shall pass this resolution even with the Chief Magistrate up in the White House, who has put his name high upon the pinnacle of fame, the man who knows his name will be handed down to the latest period of time because of his military triumphs, and with military pride ready for new triumphs. But even General Grant has not asserted that we should declare war by an overt act of this sort, but told us to try something else. Let us, then, try to do something else, and then, if something else cannot be done, we may act.

Now I am going to commence to read the report of these gentlemen, and I ask this House to listen to it, and simply to do what is right. As I said, it is strange how men will learn the same facts, and yet look at them with such different eyes. Here is this Captain McNally, the chivalrous and bold, as the gentleman says, and let us see what he says about this Territory.

And by the way, Mr. Chairman, as you will find in reading this testimony, there is a range of two hundred miles along the Rio Grande where cattle are permitted to range from the far northern to the far southern borders—a range of two hundred miles where they are allowed to range far from their owners, protected by nothing but marks, and, as I shall show before I get through by quotations from Texan papers, these marks are removed and others branded upon them by the Texans themselves. And these cattle, which range two hundred miles away from their owners, are stolen by men and carried across the border, as it is proved in the testimony, by men living in Texas, claiming allegiance to the United States flag, claiming the protection of the United States, and that the juries in Texas dare not convict them.

Mr. SCHLEICHER. I should like the gentleman from Illinois to tell me where he finds any such testimony.

Mr. HARRISON. I find it here in the testimony printed in this book.

Mr. SCHLEICHER. Then I hope the gentleman will lay it before the House, so we may see it.

Listen to what John S. McCampbell swore to before this committee :

By the CHAIRMAN:

Question. You say that the owners of American ranches do not generally live upon their ranches?

Answer. A great many of them have removed from their ranches. There are some still living on them. Captain Kennedy and Captain King, for instance, live on their ranches; but a good many other Americans have removed from their ranches to Corpus Christi, and are living there. Nearly all above there are stock-raisers; and they would not keep their families out on the ranches at all, on account of the dangers to which they would be exposed.

By Mr. WILLIAMS:

Q. The farms there are principally stock farms, I suppose?

A. They are stock farms principally. There is some little planting done about San Diego; but the country generally is a stock country, for the raising of sheep, cattle, and horses.

By Mr. HURLBUT:

Q. Are the courts still held in these counties?

A. Yes; in the Rio Grande counties.

Q. You have stated that you were compelled to abandon your own law practice there on account of what you believed to be a risk to your life?

A. Yes; that is, my practice on the Rio Grande.

Q. Has there been any obstruction to the administration of justice in that region of country by the ordinary courts?

A. I cannot answer that, because the judges go and hold court; but, as a general thing, they cannot convict. They cannot well convict a man for stealing cattle there; at least it is very hard work.

Q. Why not?

A. You could not get a man indicted for cattle-stealing in some of the river counties.

Q. Why not?

A. The Mexican jurors are afraid of their lives. If they would bring a bill of indictment against a cow-thief, or a raider from the other side of the river, those raiders would kill them.

Q. Then I understand you that there is such a reign of terror there that men do not venture to appear before a grand jury, and that a grand jury does not venture to indict for fear of consequences that might follow to witnesses and jurors?

A. Yes; I make that statement in reference to these counties, especially Starr, Zapata, and Hidalgo.

Q. Does there exist in these counties any military organization under the laws of the State of Texas?

A. None, that I know of.

Q. Is there, in your judgment, sufficient force there in the form of military organizations, or *posse comitatus*, if ordered out by the sheriff, to repel that class of raiders whom you have spoken of?

A. No, sir; I do not think it possible to keep them repelled. It might be possible for the sheriff to get enough men together to whip one of those parties; but the Mexican citizens who live out there are very reluctant to go in pursuit of raiders, because, if they fail to catch and capture them and if their efforts are known, their ranches will be no more, and themselves, too. They have to act very cautiously. I mean the Mexican citizens who live there.

Q. Then I understand you to state substantially that the civil authority, as it exists there, is, in your judgment, powerless either to prevent or punish those raids?

A. I think it is powerless to prevent those raids; and it is powerless to punish them because the raiders cannot be caught under present organization.

Here are men on this side aiding in or directly stealing cattle, and the Texan authorities do not or cannot punish. And therefore we are asked to pass this resolution directing our soldiers to violate the territory of a sister-republic with whom we have sacred treaties.

Mr. SCHLEICHER. They are all living on the other side. There are none on this side.

Mr. HARRISON. I will get it on this side.

Mr. SCHLEICHER. Excuse me. You have made a mistake. They are living on the other side, but are known on this side, because there is only a mile or two between.

Mr. HARRISON. I will give the facts as I get to them. I will commence reading at the beginning. It will not be methodical, but it will show my points. John S. McCampbell is asked, "If you could not get a man indicted for stealing in some of the river counties"—the river counties of Texas on the Rio Grande—"and why not?" He says: "Why, the Mexican jurors on this side, that is, men speaking Spanish, and claiming to be our people, are afraid of their lives. If they would bring in a bill of indictment against a cow-thief or a raider, these raiders would kill them."

Mr. REAGAN. Will the gentleman allow me a moment?

Mr. HARRISON. Certainly.

Mr. REAGAN. Does the gentleman not know that the witness is speaking of the terror produced in the minds of Mexicans on this side of the river by those raiders? It is the terror of those raiders that prevents them from indicting them.

Mr. HARRISON. I know that; but I contend if you cannot punish a thief caught on this side by your own courts, then do not ask the United States to violate the territory of a sister republic and follow the raiders into that territory. Protect your own territory; protect it by your laws, by your jurors, if possible; if necessary by your soldiery; but do not practice upon the weakness of a sister republic.

Mr. SCHLEICHER. Will the gentleman allow me one moment?

Mr. HARRISON. Yes, sir.

Mr. SCHLEICHER. The gentleman says we should protect our own territory. Now he will find in the evidence of General Ord that General Ord says he has never had force enough to hold the open country against those raiders; that they held the country against even the military force of the United States.

Mr. HARRISON. I do not argue one word against the first portion of this resolution. It is the last portion that I object to. Let us see what Captain McNally says further. In speaking of this side of the Rio Grande, he says:

The country is filled with numbers of armed Mexicans.

Mr. SCHLEICHER. Excuse me. That is on the other side of the Rio Grande.

Mr. HARRISON. It is on this side of the Rio Grande. And is that Mexico?

Mr. SCHLEICHER. He does not say so. Read the commencement of the sentence you have referred to, and you will find that it is on the other side.

Mr. HARRISON. I will read the whole sentence.

The country is filled with numbers of armed Mexicans; and it is a most common sight to see four or five or six men, well armed and mounted, whose business no one knows. If you ask them who they are, they will say, "We belong to a ranch fifteen or twenty miles distant," or, "We are trading stock," or, "We have been visiting Brownsville or Matamoras," or, "We belong on the other side of the river," or, "We are going to our employer's ranch in the interior," or they may claim to belong to some neighboring ranch. We know nothing of them, and if we take them to the ranch to which they say they belong the servants of the ranch generally without hesitation verify their statement, in many instances from friendship, most frequently from fear. The Mexican owners of ranches on this side of the river, those who are citizens of Texas, are almost to a man as much opposed to this system of raiding as the American citizens of Texas are. Many of them have not nerve enough to take an active, decided stand against it, either by giving information or by personal assistance.

And the witness is speaking of his endeavors to protect cattle on this side of the Rio Grande.

Why do not you kill them? Why do not you arrest them, take them and put them in jail, hang them; "shoot them on the spot?" But do not send our soldiery over to the other side to arrest them, and in doing so violate our treaty with a sister republic. She is weak and perhaps revolutionary, and would be an easy prey to us. They maraud upon us and steal cattle, and we are asked to pass a resolution here which will direct our soldiers to maraud upon them. But with Christian charity we bid them do no *unnecessary* act to peaceable inhabitants of Mexico! O, considerate committee! O, kindly resolution! Sir, never will I consent to so dishonor my proud country as to vote for this gentle resolution. "Get rich my son; honestly if you *can*—but *get rich*."

Mr. REAGAN. Will my friend allow me to interrupt him again? Mr. McNally in that testimony is explaining the very difficulty to which General Ord has referred, the difficulty of identifying these Mexicans among the Mexicans that live on this side of the river, and showing the subterfuges to which the raiders and murderers and cattle-thieves resort to prevent detection.

Mr. HARRISON. I admit all the gentleman says. I admit there are outrages; but I claim the American Government should protect our citizens against these outrages, but not by violating other territory. Let us have courts, and if jurors on this side, sworn to do their duty, will not convict cattle-thieves, do not let us blame the Mexicans and follow the thieves over there. Let us inflict no more hardship on peaceable Mexicans than the circumstances would demand. Captain McNally or Mr. McCampbell (I will not stop to see which) says:

A large proportion of the Mexican population on this side of the river have their homes on the other side. They live over here, and are employed on this side, but they claim no citizenship here, and they are in active, direct sympathy with the raiders. They are their kinsfolk, their cousins, uncles, and brothers—for it seems to me as if all the Mexicans on both sides of the river are relatives.

Now, sir, these men live over here; and a little further on I will show that some of them are citizens.

Mr. SCHLEICHER. Does Captain McNally not say that they are in active sympathy with the raiders? Consequently they are not the raiders.

Mr. HARRISON. I admit it; but I claim that you should punish them by law on this side, and not follow them to the other side. I claim that you shall not permit the violation of the territory of a country with which we are at peace, because marauders, one-half of them living on our side, claiming when they are attacked to be American citizens, are stealing our cattle, and we cannot by Texan jurors convict them.

Now, sir, another question was put to Captain McNally.

Q. To your knowledge, is there any raiding from this side on the other side?

Mr. SCHLEICHER. Read on.

Mr. HARRISON. There is a mark in the report here, but that is not what I intended to read. He says he does not know of any.

Mr. SCHLEICHER. Read what he says about it.

Mr. HARRISON. He says:

I made inquiries about that when I went down and during the time I have been there, for the last ten or eleven months. I have not even heard of a single charge made by any Mexican either on this side or the other side of the river of any Texan crossing the river for such a purpose.

I never charged that. I do not believe it; I would not believe it;

I do not want to believe it. I read further from Captain McNally's evidence. We are asked to pass a resolution to direct the soldiers to follow cattle-thieves into Mexico, to violate Mexican territory, and we are told it will not bring on war. McNally says—I think I am reading from McNally's testimony; but it is at least from one of the witnesses here in the report—page 11:

I have no idea that any number of Americans, unless, possibly, four or five or six hundred strong, could cross the river and succeed in getting back. If they did, they would have to move very rapidly.

By MR. LAMAR:

Question. Do you mean to say that, on the Mexican side of the river, they could bring together a force which would overpower five hundred armed men?

Answer. Yes; at any time within twenty-four hours. If five hundred of the best troops we can get were to cross the river, go four miles into the interior, and remain twenty-four hours in one place, I have not the remotest idea that they would ever return. I speak as a soldier. I served four years in the confederate army. I have met some of these Mexicans out there, and they are men who stand killing splendidly. They have an organization on the other side called the "rural police." The chief man is the owner of a ranch, or the superintendent, as the case may be. He is not an alcalde. I believe they call them *encargados*. He is a civil officer, and has some of the functions of a civil officer. He sends an alarm to one ranch, and it is spread from ranch to ranch in every direction. Men carry the news very rapidly—at least fifteen miles an hour. The men are all mounted, and very well armed. These frontiersmen are armed with Winchester rifles and carbines. and quite a number of them with Spencer rifles. I do not know where they got them, but I believe they bought them (the Spencer rifles) at Fort Brown, at some Government sale. They gather rapidly, and are very patriotic.

And yet we are asked to order our soldiers across the river to recover cattle whose owners live two hundred miles away, who have turned their cattle loose with only a small brand upon them. Our soldiers are to be ordered to follow these cattle where only four or five hundred men can go with safety, and we are told it will not bring war upon us. Your Army is to be ordered in companies to follow these marauders where Captain McNally says that in twenty-four hours they could raise enough men to overpower five hundred of our soldiers; and yet it is said that would not bring on war. In one place McNally says that it will not have any effect, and in another place he says that they will be overpowered if we send five hundred men. Suppose you send your soldiers over there and have them murdered as Custer and his command were murdered by Sitting Bull and his men, then war with Mexico will be the watchword and "On to Mexico!" will be the cry, at least until after the election is over.

Sir, let McNally be heard again as to the Texan laws:

By MR. HURLBUT:

Q. State whether there is sufficient power under the laws of Texas to stop and investigate the character of suspected persons in that belt of country.

A. No, sir; there is not.

Q. Can you, bearing a commission as you did from the governor of Texas, lawfully stop and detain any person on the high-road whom you suspect to be in this business?

A. I cannot.

Q. State whether in your judgment it would not be necessary for the thorough protection of that frontier to give the extraordinary powers that belong to military officers in a district under martial law.

A. I think that we could find a better remedy than the declaration of martial law in that district. Martial law would certainly work a great many hardships to innocent persons, as it always does. Our civil code practice has very many objections and difficulties. These people who raid on Texas are not claimed by Mexicans as citizens of that country. They say that they are outlaws and murderers, and that as far as they are able they stop their crossing, and they want us to assist them in doing so. They desire that we shall render them all the assistance in our power to break that system up. I believe that if orders were issued to our military authorities to pursue these bands to the other bank of the river, and punish them so severely that the pay they got for crossing a herd of cattle would not compensate them for the risk they run in making the raid, it would be the most

effectual and rapid way of breaking this thing up, without subjecting any innocent parties to harm. In carrying out that policy there is no probability that one innocent man would suffer.

Ah, yes! we have peaceable people on the other side of the Rio Grande wanting us to help them to break up this system. And you are told you must send your soldiers over there and do more violence to these peaceable citizens. These Mexicans want to be at peace, and we are told that because this Government has not an arm strong enough to keep our own thieves from stealing our property and escaping to the other side, we must go over to the other side, using no more force than is absolutely necessary.

Now here is another place :

Question. And you think that if the Mexican government were to allow United States forces to penetrate that territory, the people of Tamaulipas would not revolt?

Answer. I do not think the government of Mexico would pay any attention to it. I do not think the government would ever know it, officially, at the city of Mexico.

Here we are told to send them there, and that the Mexican government can know nothing about it, and that when they come back again the government at the city of Mexico will have no knowledge of their proceedings.

Here is another question :

Q. I suppose that you are aware that sending a body of troops under the flag of the United States into a country with which we are at peace is a declaration of war?

A. I hardly think so. I do not know of any writer on international law who does not agree to the principle that where a nation is unable or unwilling to restrain its turbulent people from depredating on a neighboring territory, the nation so depredated upon has the right to pursue these robbers into their fastnesses across the line, and there to punish them for their offenses.

“A Daniel come to judgment,” “yea a very Daniel!” American citizens, or those claiming to be citizens, steal Texan cattle and escape over the border, and he knows of no international law that will prevent our following them and catching them on the other side. I do not believe that the people of the United States would stand quietly for fifteen minutes—ah, I will put it at that short space of time—when the telegraph should bring over the wires the news that a body of red-coated Englishmen had followed escaping criminals over into New York or Vermont. The whole nation would fire up, and the minute-men would leave their plows and hurry to the frontier; but here is a weak, a miserable republic that cannot take care of herself, and we are to send our soldiery over her borders.

Mr. Chairman, I say let us go to Mexico and demand of the government of that republic that if it cannot protect us from these wrongs we will take the matter into our own hands; but we should not pass a resolution here as an insult to her, and which she would be forced, in her pride, to consider a declaration of war.

I quote now from the testimony of General William Steele :

The inhabitants along the lines of the river are mostly Mexican-speaking; whether they are mostly citizens who expect to remain there or whether they are fugitives, I do not know; I think the latter are the largest class.

In Hidalgo County, at the same time, I inquired of him how many Americans there were. “Americans” is the general term for all English-speaking persons, those from the North. He told me there were ten. I asked him if there were any others who spoke English. He said there were three others, making thirteen in that county who spoke English. It is that large portion of floating population there who have produced such a state of terror upon those who really have the interests of the country at heart, that if they should see a drove of cattle being taken across the river they would be afraid to say a word. Many have been killed because they talked too much.

The people living on the borders speak Mexicano, and here is where the thieves are harbored. And it is among these people we should operate. There is the field for our labors. Make them within our

own borders behave themselves. Declare martial law if no other law can be enforced. We had better do that to our own citizens than to allow our military men to go over the border and insult a sister republic. Captain McNally in answer to this question, "State to the committee what your means and facilities of information were about these raids," says :

After being on the river for some weeks, I found that I could employ for money Mexican cattle-thieves as spies; I made inquiry about the character of the men who composed the various bands on the opposite bank, and I found they were organized into bands of fifteen or twenty or thirty, according to the size of the ranch at which they live. I made inquiries into the personal character and reputation of the individuals of the band, and I selected those whom I knew to be tricky, and secured interviews with them. I made a proposition to them to sell their companions, tendering them handsome rewards, and promising to pay them more than they could make by raiding. For instance, if twenty of them crossed the river after a herd of cattle, and got two hundred head, the share of each of them would come to so many dollars. I proposed paying them \$10 apiece for every one of their companions whom they would locate so that I could get in sight of them while on our side and in possession of stolen cattle. Then, if they escaped me, very well; I would still pay the amount, \$10, for each one; that is, if they would notify me that they were going to cross the river on a certain day, and if they would place me at a certain point where I could see these men in the act of driving cattle, I would give them \$10 apiece for each one that I saw in that manner, whether I succeeded in capturing the parties or not; and, if it was a strong party and well armed, I was to give \$15 apiece, besides giving them a regular salary of \$60 a month. All those whom I approached readily entered into my plans, and without any exception, I found them to be reliable and trustworthy.

The Mexican thieves can be hired for \$15 apiece for each thief pointed out; and this wonderful Captain McNally found these thieves trustworthy.

Mr. REAGAN. I trust the gentleman will not pervert the testimony in that way. He was giving \$15 apiece besides giving them a regular salary of \$60 per month.

Mr. HARRISON. That is correct. They were to have \$15 apiece and \$60 a month, and he says that they were trustworthy, and yet in another place he says they are thieves. Why not employ them as spies on this side? Why do you send them to a sister republic because it is in a half-defenceless condition and almost in the state of revolution?

Sir, this is a proud and grand Government of ours. I want to see it always conducted as a proud and grand Government. Let our Republic deal with a weak sister as if that sister were her own peer. She is our peer in nationality; let us deal with her as if she were our peer in strength and then we shall hand our name down to the future in honor.

I would inquire, Mr. Chairman, how much time I have?

The CHAIRMAN. The gentleman has twenty-five minutes more.

Mr. HARRISON. General Steele says that in Hidalgo County only ten or fifteen speak English.

Now, there is a county with apparently only ten or fifteen persons in it who can speak the English language, and they would be afraid to say a word "if they should see a drove of cattle being taken across the river." And we are asked to let these men steal cattle and drive them past these men, and then to send our troops over on the other side and catch them, "using no more force than is necessary." Now that is not the way one nation should deal with another. If our nation deals so with a proud nation it is war; and if with a weak nation, it is a dishonor to ourselves, and I am unwilling to dishonor America.

Mr. WILLIAMS asks Steele :

Have you any reason to believe that the people on our side were co-operating with them?

Answer. There are people living on this side who do that, but they can hardly be classed as citizens. In fact, it is very hard to define who is a citizen there. In this report of this county they are given as residents and citizens, and the residents largely outnumber the citizens. Many of these residents are mixed up with smuggling on this side. The Free Belt, where goods are admitted free of duty, affords fine opportunities for smuggling all along there.

That is, the Americans, men living there under the protection of Texas and United States laws, steal cattle from our own people, and we are asked to allow our troops to follow them into the territory of a foreign government. I say put an army there if possible, and whenever a man is seen who cannot give a proper answer as to what his business is arrest him. If you want to commit an outrage do it in the United States, and not on the other side of the line. If you want to commit an illegal act, do it in this country. Let General Dix go there and whenever he sees a man driving a herd of cattle shoot him on the spot, and do not follow him into Mexico.

I will now quote from General Ord, who, speaking of the thieves on the Texan side, says:

These vagabonds on the northern side of the river are frequently in collusion with the robber-bands from Mexico, and for that reason the Mexican government states that those raids are not committed by Mexicans, but are committed by Americans, because some of these same fellows may have probably been naturalized, or had obtained some right under the Texas laws, which are very liberal, to remain there, and to have the benefit of citizenship; but they are nevertheless Mexicans.

Question. You do not apply that to the entire Mexican population on our side?

Answer. Not at all; only to the roving class, who have no permanent home. The best class of Mexicans are just as anxious as the American stock-raisers are to put a stop to these raids, and quite a company of them co-operated very actively in the recovery of the cattle by Captain McNally and Captain Randlett, when they crossed the river recently.

Q. Have you ever been on the opposite side of the river?

A. I have been.

This report here denies there are any such on our other side of the river. This report says the reason they say so is that these robber-bands come from the other side to help them.

Here is what Lieutenant Beaumont tells about his horses being stolen, and he went quietly over into Mexico:

Early the next morning, accompanied by two soldiers and two Mexicans, I again crossed the river, and by circuitous routes followed the trail as far as the town of Guerrero, Mexico, accompanied by one Mexican, having left the other with the two soldiers on this side. I entered the town, obtained the assistance of the officials of Guerrero, and in two hours the thieves had been captured and horses with their trimmings in my possession.

It is very curious that our soldiers can go over there and recover their horses, but we cannot catch these fellows who steal cattle which have wandered away two hundred miles from the owners. We are asked to give authority to follow them with our soldiers and violate the territory of our sister republic. I am with you, gentlemen, in putting in the hands of the President soldiers and power enough to protect you, but let the soldiers remain on this side the line. I have friends in Texas, and some of them not far from this border. I would like to have them protected, but I will never by vote consent that this House shall vote power to the President of the United States to order the soldiery of the United States across the border of a government with which we are at peace to arrest these thieves, "using no more force than is necessary." That is a pretty phrase, "necessary violence;" but the officer is to judge of that.

Now here is what Colonel Edward Hatch says, speaking of men who he was certain were cattle-raiders on this side the Rio Grande:

They are represented as citizens of Texas, and should the military make any arrests, they will be so considered until we can catch them in a body armed.

Speaking of certain ranches, he says :

The people of the ranches are Mexicans, and few have declared their intention of becoming American citizens. In this precinct there are nearly one thousand families, with eleven registered voters, five of whom are entitled to vote.

That is, they are considered Texans, and until we can catch them in a body armed we are utterly powerless to make arrests. Texas laws protect these marauders, and our soldiery dare not protect them unless we see them in armed bands. And yet we are asked here to allow our soldiers to cross over the border. Now, I would do to Mexico as I would do to a nation that had behind it battalion after battalion to protect her borders. Then you would do as an honorable and high-toned nation should do.

Now here are some extracts from Texan papers which I take from the report of the Mexican commission :

Many stock-raisers of Refugio County have been in our city for several days examining hides by virtue of injunctions, of which they bring their pockets full. They seem to be exasperated from having found the remains of animals killed on the pasture, evidently for the purpose of taking hides.—*Goliad Guard*.

A commission of property-owners have arrived in our city (San Antonio) in search of stolen hides taken from dead animals. We have been advised that a large number of troublesome lawsuits have been instituted against several of our merchants to whom hides have been consigned for sale.—*San Antonio Weekly Herald*, March 8, 1873.

An organized band of cattle-thieves, under the leadership of the notorious thief Alberto Garza, are scouring Nueces and Duval Counties; said band numbering from twenty to thirty men.

The last number of the *Gaceta*, of Corpus Christi, gives an interesting account of the operations of these banditti, who killed and flayed in one place two hundred and seventy-five heads, in another three hundred, and in another sixty-six.—*Daily Ranchero*, Brownsville, March 1, 1873.

Another newspaper, referring to this same band and to the ineffectual persecution of it, says :

We believe that the cattle-owners of the Nueces and Rio Grande ought to do something better than to run after these robbers. They must direct their attention to the buyers of hides. A little discipline exercised against these supporters of thieves will soon put a stop to the trouble. If there were no buyers the thieves would soon take another course. The merchant who buys from the thieves is worse than the thieves themselves. He is only one, but he turns twenty into scoundrels, trusting in his position to save himself from reproach and censure.—*The Sentinel*, May 2, 1873.

This ranch carries on another speculation, which consists in branding all the young cattle that can be found, regardless of their owners. * * * It is said that some men of the Nueces County not far from here came and collected all the calves they could find and branded them for the benefit of those whom they serve. If this business continues nothing will be left to our stock-raisers but their corrals and wells.—*The Sentinel*, Brownsville, February 11, 1873.

There are many persons on this side (Texas) who maintain themselves by cattle-stealing. The peculiar character of our Mexican population, combined with the advantages of a very scattered population and the dense thickets, makes this cattle-stealing a very profitable business. Where there is fire there is smoke. This old proverb occurs to us when we hear it said "such or such a person has made his living by cattle-stealing." We know they cannot be reached by our tribunals. They have many able friends. * * * The public opinion certainly accuses many among us of being implicated in cattle-stealing.—*Daily Ranchero*, Brownsville, February 10, 1872.

Here is quotation after quotation showing that cattle are being stolen and branded and killed in Texas whenever they are caught away from their own localities, and we are asked therefore to pass a resolution that would dishonor the good name of our country. It may be very fine for gentlemen to forget their own country's honor in their hatred for Mexico; but the time will come when they will thank the Congress of the United States for refusing to pass this second resolution. I will vote for the first, but I will never vote for the second, nor do I think this House ought to do it.



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